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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,588	01/27/2004	Tomohiro Nishikawa	SN-US030020	8975

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EXAMINER

LANGDON, EVAN H

ART UNIT PAPER NUMBER

3654

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/764,588

Applicant(s)

NISHIKAWA, TOMOHIRO

Examiner

Evan H Langdon

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/19/2004</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 6-8, 10-14, 18-20, 22 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Kitajima (US 2003/0146325 A1).

Kitajima discloses a spinning reel unit adapted to be mounted onto a fishing rod, for use in a spinning reel in which rotation of a handle 1 is transmitted to a rotor and a line-winding spool 4 through a master gear 11 to wind fishing line around the spool 4, the spinning reel unit comprising:

a housing unit having a mechanism accommodating space 26 formed therein for accommodating and supporting therein the master gear 11;

a first lid 2b being fixedly coupled to a side of the housing unit detachably/reattachably, the first lid including a first cover portion for at least partially covering the mechanism accommodating space 26 of the housing unit in which the master gear 11 is disposed, and a first cut-out portion for partially exposing the housing unit, as seen in Figures 2 and 3;

a second lid 2a fixedly coupled to another side of the housing unit detachably/reattachably,

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a rod-attachment portion 36 formed integrally with one of the housing unit and the first lid 2b and being adapted to be mounted to the fishing rod; and

a cover member 38 for covering at least the first cut-out portion of the first lid when the first lid is coupled to the housing unit.

In regards to claim 2, Kitajima discloses the second lid includes a second cover portion for at least partially covering the mechanism accommodating space 26 of the housing unit, and a second cut-out portion for at least partially exposing the housing unit, and the cover member 38 covers the second cut-out portion when the first and second lids are coupled to the housing unit.

In regards to claims 6, 13 and 18, Kitajima discloses a spinning-reel reel unit adapted to be mounted onto a fishing rod, for use in a spinning reel in which rotation of a handle 1 is transmitted to a rotor 3 and a line-winding spool 4 through a master gear 11 to wind fishing line around the spool, the spinning-reel reel unit comprising:

a housing unit having a mechanism accommodating space 26 formed therein for accommodating and supporting therein the master gear 11;

a first lid 2b being fixedly coupled to a side of the housing unit detachably/reattachably, the first lid including a first cover portion for at least partially covering the mechanism accommodating space 26 of the housing unit in which the master gear 11 is disposed, and a first cut-out portion for partially exposing the housing unit;

the first lid supporting a rotation shaft 10 of the master gear;

a second lid 2a formed integrally with the housing unit (Fig. 4), the second lid including a second cover portion for at least partially covering the mechanism accommodating space 26 of

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the housing unit in which the master gear is disposed, and a second cut-out portion for partially exposing the housing unit;

a rod-attachment portion 36 formed integrally with one of the housing unit and the first lid 2a and being adapted to be mounted to the fishing rod; and

a cover member 38 for covering at least the first cut-out portion of the first lid and the second cut-out portion of the second lid when the first lid is coupled to the housing unit.

In regards to claims 7, 8, 19 and 20, Kitajima discloses the first and second lids having first 28b and second 28a shaft-supporting portions for supporting respective ends of the rotation shaft of the master gear 11.

In regards to claim 10, the rod attachment portion 36 is formed integrally with the first lid 2b.

In regards to claims 11, 12, 22 and 23, the cover member 38 extends over a rear portion to a bottom portion of the housing unit and is made of synthetic resin.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5 and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitajima.

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Kitajima teaches the housing unit and one of the lids made of metal and the other of the two lids made of synthetic resin. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the housing units and the two lid portions of Kitajima to be made of magnesium alloy, aluminum alloy, or synthetic resin, based in the application of the reel. It is well known in the art to use these materials for reduction of weight and provide protection of internal parts.

Claims 9 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitajima in view of Sugawara (US 2002/0056776 A1).

Sugawara teaches the rod attachment portion formed integral with the housing unit, as seen in Figure 3.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the rod attachment portion of Kitajima to be integral with the housing unit as suggested by Sugawara, to provide additional support.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan H Langdon whose telephone number is (703)-306-5768. The examiner can normally be reached on M-F 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (703)-308-2688. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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